

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

MATILDA WELLS,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACT. NO. 2:22-cv-516-ECM
)	(WO)
LEVERN COHEN, Warden, Regional)	
Correctional Institution,)	
)	
Defendant.)	

MEMORANDUM OPINION and ORDER

On June 23, 2023, the Magistrate Judge entered a Recommendation that this case be dismissed. (Doc. 19). The Plaintiff filed objections to the Recommendation. (Doc. 20). After carefully reviewing the record in this case, the Recommendation of the Magistrate Judge, and the Plaintiff's objections, the Court concludes that the Plaintiff's objections are due to be overruled, the Recommendation of the Magistrate Judge is due to be adopted, and this case is due to be dismissed.

When a party objects to a Magistrate Judge's Report and Recommendation, the district court must review the disputed portions *de novo*. 28 U.S.C. § 636(b)(1). *See also United States v. Raddatz*, 447 U.S. 667, 674 (1980). The district court "may accept, reject, or modify the recommended disposition; receive further evidence; or resubmit the matter to the magistrate judge with instructions." 28 U.S.C. § 636(b)(1). *De novo* review requires that the district court independently consider factual issues based on the record. *Jeffrey S. by Ernest S. v. State Bd. of Educ. of State of Ga.*, 896 F.2d 507, 513 (11th Cir. 1990).

However, objections to the Magistrate Judge's Report and Recommendation must be sufficiently specific in order to warrant *de novo* review. *See Stokes v. Singletary*, 952 F.2d 1567, 1576 (11th Cir. 1992) ("[w]henever any party files a timely and specific objection to a finding of fact by a magistrate, the district court has an obligation to conduct a *de novo* review of the record with respect to that factual issue.")(quoting *LoConte v. Dugger*, 847 F.2d 745, 750 (11th Cir. 1988)). Otherwise, a Report and Recommendation is reviewed for clear error.

The Court has reviewed the Plaintiff's objections wherein she reiterates her complaints against the Defendant. In her objections, the Plaintiff simply objects to the Report and Recommendation without any specificity and without stating the bases for her objections. She offers conclusory and unsupported objections to the Report and Recommendation which are simply insufficient. The Plaintiff does not point to any error committed by the Magistrate Judge, but instead re-offers a recitation of the claims made in her complaint. Her general objections are reviewed for clear error and are due to be overruled.

Accordingly, upon an independent review of the file in this case and for good cause, it is

ORDERED as follows that:

1. The Plaintiff's objections (doc. 20) are OVERRULED.
2. The Recommendation of the Magistrate Judge (doc. 19) is ADOPTED.

3. The Plaintiff's amended complaint (doc. 17) is DISMISSED without prejudice.

4. The Plaintiff's Motion for Judgment (doc. 12) and Motion to Reopen Cases (doc. 18) are DENIED as moot.

5. This case is dismissed.

A separate final judgment will be entered.

DONE this 21st day of August, 2023.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE